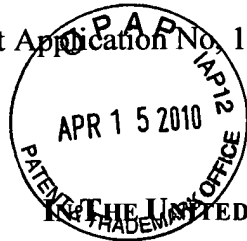


PATENT



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/614,255  
Applicant(s): Eubanks  
Filed: July 3, 2003  
Art Unit: 1638  
Examiner: Keith Robinson  
Title: METHOD AND MATERIALS FOR INTROGRESSION OF NOVEL  
GENETIC VARIATION IN MAIZE

Mail Stop Appeal Brief-Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF UNDER 37 CFR §41.37**

This is in response to the Notification of Non-Compliant Appeal Brief (37 CFR 41.37) dated April 1, 2010. The wording of claims 63 and 65 in the Appeal Brief filed January 21, 2009, is not consistent with the wording of these same claims according to the Amendment to the Claims filed June 30, 2008.

The enclosed Appeal Brief contains the required corrections to Claim 63 and Claim 65. Please submit the Appeal Brief to the Board of Patent Appeals and Interferences.

Respectfully submitted,

Mary W. Eubanks  
8 Pilton Place  
Durham, NC 27708  
Phone: 919-490-5380

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Appeal Brief-Patents, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 13, 2010

  
Mary W. Eubanks